

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN MARK NOENNIG**, on January 16, 2001 at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Mark Noennig, Chairman (R)
Rep. Rod Bitney, Vice Chairman (R)
Rep. Jeff Mangan, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Eileen Carney (D)
Rep. Larry Cyr (D)
Rep. John Esp (R)
Rep. Dennis Himmelberger (R)
Rep. Hal Jacobson (D)
Rep. Rick Laible (R)
Rep. Jesse Laslovich (D)
Rep. Bob Lawson (R)
Rep. Michelle Lee (D)
Rep. Brad Newman (D)
Rep. Ken Peterson (R)
Rep. William Price (R)
Rep. James Whitaker (R)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: None.

Staff Present: Eddye McClure, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 55 HB 80, 1/11/2001
Executive Action: HB 59

HEARING ON HB 55

Sponsor: Rep. Carol Juneau, HD 85

Proponents: Darrel Holzer, AFL-CIO
Doug Mitchell, MT Conservation Voters Education Fund
Rep. Frank Smith, HD 98

Opponents: None

Informational Witnesses: Robert Throssell, MT Assn. of Clerk and
Recorders
Elaine Gravely, MT Secretary of State
Office

Opening Statement by Sponsor: Rep. Carol Juneau. HB 55 will change voter registration by allowing a voter, on the inactive list, to reactivate at the polling place on the day of the election. The Clerk and Recorder maintains two lists of voters, active and inactive lists. You are placed on the inactive list if you failed to vote in the last general election. ***{Tape : 1; Side : A; Approx. Time Counter : 0 - 7.5}***

Proponents' Testimony: Darrel Holzer, AFL-CIO. We support this bill. The AFL-CIO encourages all members to vote and this bill would make it easier for the voter to get reactivated. ***{Tape : 1; Side : A; Approx. Time Counter : 7.5 - 9.8}***

Doug Mitchell, Montana Conservation Voter Education Fund. Our organization is dedicated to getting people out to vote. This bill would be a tremendous help. ***{Tape : 1; Side : A; Approx. Time Counter : 9.8 - 11.2}***

Rep. Frank Smith, HD 98. I support HB 55. ***{Tape : 1; Side : A; Approx. Time Counter : 11.2 - 11.8}***

Opponents' Testimony: None

Informational Testimony: Robert Throssell, Montana Clerk and Recorder Association. The Clerk and Recorders are, by statute, the election officer. This bill will be a major change for the voters in local elections. This bill could have some conflicts with current laws. ***{Tape : 1; Side : A; Approx. Time Counter : 11.8 - 15.1}***

Elaine Gravely, Secretary of State Office. Our agency is here to answer questions. {Tape : 1; Side : A; Approx. Time Counter : 15.1 - 18.5}

Questions from Committee Members and Responses: Reps. Liable, Lee, Noennig, Anderson and Mangan questioned Mr. Throssell about the current process. Mr. Throssell gave a detailed overview of how the system currently works and the problems this bill could cause. {Tape : 1; Side : A; Approx. Time Counter : 18.5 - 30} {Tape : 1; Side : B; Approx. Time Counter : 0 - 16.2}

Closing by Sponsor: Rep. Juneau explained the need for this bill, by citing personal experiences. {Tape : 1; Side : B; Approx. Time Counter : 16.2 - 22.3}

HEARING ON HB 80

Sponsor: Rep. Frank Smith, HD 98

Proponents: Robert Throssell, MT Association of Clerk and
Recorders
Sue Haverfield, Flathead County
Jane Jelinski, MACO

Opponents: None

Opening Statement by Sponsor: Rep. Smith explained that this is a housekeeping bill requested by the Clerk and Recorders. The bill would require that a voter must give his or her physical address to register to vote. **EXHIBIT**(loh12a01) {Tape : 1; Side : B; Approx. Time Counter : 22.3 - 26.2}

Proponents' Testimony: Robert Throssell, Association of Clerk and Recorders. We support HB 80. This would correct the problem of getting voters into the right district. {Tape : 1; Side : B; Approx. Time Counter : 26.2 - 28.6}

Sue Haverfield, Flathead County Clerk and Recorder. This bill would make our job easier and we support HB 80. {Tape : 1; Side : B; Approx. Time Counter : 28.6 - 30}

Jane Jelinski, MACO. We support this legislation. {Tape : 2; Side : A; Approx. Time Counter : 0 - 0.9}

Opponents' Testimony: None

Informational Testimony: Elaine Gravely, MT Secretary of State. I am here to answer questions. {Tape : 2; Side : A; Approx. Time Counter : 0.9 - 1.1}

Questions from Committee Members and Responses: Reps. Esp, Bitney and Liable question the witnesses regarding the need for this bill. The witnesses explained they needed the physical address in order to be certain the voter was registered in the correct district. {Tape : 2; Side : A; Approx. Time Counter : 1.1 - 7.5}

Closing by Sponsor: Rep. Smith closed HB 80. {Tape : 2; Side : A; Approx. Time Counter : 7.5 - 8.1}

EXECUTIVE ACTION ON HB 59

Motion: REP. MANGAN moved that HB 59 DO PASS.

Motion: REP. MANGAN moved that HB 59 BE AMENDED. **EXHIBIT**(loh12a02)

Motion: REP. BITNEY moved that the AMENDMENT BE SEGREGATED. Amendment 1,2 and 4 in one group and 3 in another group.

Vote: Motion for amendments 1, 2, and 4 carried 17-1 with Lawson voting no.

Vote for amendment 3 failed 7-11 with Mangan, Lawson, Newman, Laslovich, Carney and Lee voting yes.

Motion: REP. NEWMAN moved that Action on HB 80 BE POSTPONED.

Substitute Motion/Vote: REP. YOUNKIN moved that HB 80 BE TABLED. Motion carried 10-8 with Carney, Cyr, Jacobson, Laslovich, Lawson, Lee, Mangan and Newman voting no. {Tape : 2; Side : A; Approx. Time Counter : 8.1 - 17.2} {Tape : 2; Side : B; Approx. Time Counter : 0 - 7}

ADJOURNMENT

Adjournment: 5:44 P.M.

REP. MARK NOENNIG, Chairman

PATI O'REILLY, Secretary

MN/PO

EXHIBIT (loh12aad)